File No. 120

1993.

Collection No.

Dupoor Residency

1-2-47

3.2.47

Pros. Serial Nos.

Subject.

Grant of a plot of land in Dongopalya to Banjeera Naidu, Daffedar, Collector's Office at 2 annas a square yard

Previous References.

743/81

Later References.

S. 97.

MGIPC—FP—52DCFMis.—(1783)—27-5-25—39,000.

RESIDENT'S OFFICE.

Office Note.

FILE No. 120 of 1893.

In letter No. 1388 of 3rd March 1893, the Collector proposes to grant the Daffedar of his establishment a small plot of ground in Ulwar to erect a building thereon.

2 The ground in question does not belong to the Municipality & vests in Govt. Col: Wagrath wants to lease it to the Daffedar on the annual rent of one rupee subject to certain conditions which were authorised by the (late) Chief Commissioner in the case of building sites granted to the Grass Cutters in Knoxpett. The circumstances of the case quoted are special & can hardly be made applicable in the case of the Daffedars. For reasons of

administrative convenience it was desirable to remove the grass cutters from a particular locality, but as the grass cutters were indispensable to the British troops garrisoned here, the Govt thought it fit to allot building sites on a lease of nominal rate. Such special orders cannot, it is submitted, be made to govern cases like the one under disposal.

The Office cannot trace any Revenue rules that may exist on the subject. Please see Section XI of Bombay Act No. IV of 1868 in force in the Cy Stations. This section refers to the disposal of open spaces in towns & cities similar to the ground the Duffedar has applied for & contemplates general rules for regulating the disposal of the lands. The Collector's Office has been informally asked but they cannot say whether any such rules have been issued by the Chief Commr or not. If affirmed, the Dy Commr Bungalow may be addressed D.O. for a copy of the rules, if any, that may have been issued on the subject.

4. Ordinarily,

4. Ordinarily the Govt: lands that may not be required for public purpose are sold by the Revenue authorities (Amildar) by public auction. Considering that the value of land in the Colombo station has much increased, there can be no doubt that it will fetch a good price if it is thus sold. There appears to be no reason why this ground should be leased by the Municipality in the manner recommended by Col: Haupt. Submitted for favourable orders.

AJ
16-3-93

5 From what I have been told I believe the title of Lebel a good deal more if put up for auction.

AJ 17.3.93

of

6 taken up that I should
not interpose upon the
boundaries of lands they should
deem best adapted should a
house.

Ld - 1/3

D.O. issued - Ld. N.2.

7 In d.O. letter dated 20: March 1893,
Col: Inspector replies that the land wanted
by the Municipality of this Court vests in Govt:
under the terms of this Office letter No
640/1867 of 26: Feb: 1884. It does not belong
to the Municipality as they have no
proprietary right thereto.

O.N. 21. File 186/87

8 Col: Inspector argues that the grass cutters
were given sites at Khoshpet/whereas an
annual rent of one rupee is proposed for the
land recommended to be leased to the
Municipality. There seems no reasonable
the Govt: should lease this land as it
is not required for public purpose
at any future time. If sold by auction,
it will fetch a good price, at least much

more

(Continuation of Note or Precis.)

more than Rs 30/- now offered by the Diffadar.

9 Col: Mayadeb makes a special case of the Diffadar as he is a "homeless Govt servant". There are many others (Peons) on less pay & have no houses of their own to live in. If the recommendation in behalf of the Diffadar is complied with it will serve as an inconvenient precedent, and many applications for a similar Concession may follow.

Submitted for orders.

H.
22-3-93

If the Diffadar is so very anxious to have this land he ought to be made to pay full value for it.

H 23.3.93

Taken up to Ld.

Sanction as recommended
at A. LL 3.

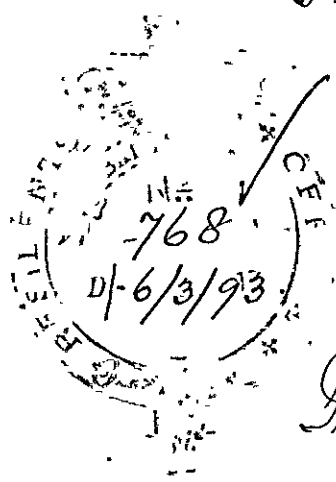
LL 27/3

Draft letter sub. for approval.

AL
27.3.93

-7- No. 1388 Enc: 3

From



The Collector
Civil and Military station
Bangalore.

To

The First Assistant to the Residen
in Mysore

Dated Bangalore 3d. March 1893.

Sir,

The Daffadar on my establishment, having no house of his own, has asked the President of the Municipal Commission for the grant of a small plot of ground in G. No. 11 street, Jougpalya, as per plan enclosed, to erect a hut thereon. As the Municipality cannot show any right of acquisition for the plot in question, it vests in Government. I have, therefore, the honour to request, that I may be authorized to lease the ground for the annual rent of one Rupee to the applicant on the same conditions (Copy enclosed for reference) as

as the Knoxpett lands have been leased to the grass-cutters by the Municipality under the authority vested in them by the Chief Commissioner's letter No. 6754 dated 20th October 1870 to the address of the Superintendent, Kandidurg Division.

I have the honor to be

Sir,

Your most obedient servant

H Thomapath

Collector, C. & W. Sts.

Conditions to be expressed in grants for land to grass-cutters in Knox Pettah.

That no hut, building or enclosure of whatever description be erected without the written permission of the President; any erected without the required permission will be at once demolished.

2. That building huts on the ground by permission shall not give the owner thereof title to the ownership of the ground which remains at disposal of the Board and may at any time be cleared by them on giving to the owner or occupant the value of the materials of such buildings as have been erected on it by permission of the Board. Ejection shall not be made without sufficient cause but no such ejection shall give the persons ejected any claim to Compensation for the land or to be provided with land elsewhere.

3. That a ground rent of not less than two annas per site shall be payable annually to the Board as rent for the ground.

4. That as the ground is applied to the

the purpose of locating a special class of persons none of those persons shall be entitled in disposing of his tenement to sell any more than the materials of such building nor shall any purchaser be permitted to occupy the same except under special written sanction of the Board through the President and subject to the same conditions as the purchaser.

5. That every hut shall be built only on such site and in such lines as shall be pointed out by the Municipal Engineer under orders of the President who shall define the limits of each enclosure beyond which no encroachments shall be made on pain of immediate demolition of the premises on fine which latter shall be recoverable by distraint in the usual manner.

(Signed) E. D. Gompertz.
President Municipal Board
Bangalore Cantonment.

Bangalore
12th October 1870

"Copy"

Collector, C. & M. Stn:

NT'S OFFICE.

-11-

Serial No. ✓

[~~DRAFT for approval.~~

D-O

~~No.~~

1893 To Copy

Colonel H. M. S. magrath,

H. magh Collector

My dear Colonel,

Please see your office letter No: 1388 dy 3/3/93 regarding the grant of land to build a house to your duffadar.

The Resident does not understand how the land, if situated in municipal limits, does not belong to the municipality.

Is there much land situated similar to that now asked for?

The land given to the Grass cutters at Knoxpett was given to provide building for a class who has been removed from an objectionable site. They were apparently obliged to, the located somewhere so that the site at Knoxpett seems to have been given to them on easy terms and ~~too~~ a sort of compensation.

Your Duffedar's case however seem scarcely analogous. Government land is valuable and the present piece of land would probably fetch a good price at auction.

I can find no rule regulating the grant of Govt land in the Cants. and the grant of land on easy terms in the case might create an awkward precedent. If the duffedar is a Govt servant why not let him buy the land and get an advance of 6 months pay under the rules towards building his house.

Yours sincerely

Sd C. V. Rawlinson

- 12 -

Bangalore 3
20th March 1893

My dear Ravenshaw :

Your D.O. dated 18th March 1893

D. 2

1. The vacant sites situated within the Municipal limits, if not proved to belong to Municipality vest in Government, vide Resident's letter No: 690/1867 dated 26 Feby: 89 to the Quondam Municipal Commission.

D 21. Rev 186 87

2. There are several vacant sites throughout the Cantonment similar to the one applied for.

3. The sites allotted to Grass-cutters were given to them on Easy terms i.e at an annual rent of 2 annas per site; that asked for by the Deputation is proposed to

be

be given at 8 times this rent
i.e 1 Rupee per annum.

4. Though the Duffadar's case is not similar to the Grass cutters, yet, I would recommend, that the Duffadar being a homeless Government servant, and unable to pay the high rents, prevailing in the Cantonment, out of his small pay of Rs 10 per mensem, some consideration may be shewn. The Duffadar is also willing to buy the land for Rs 30/- at 2 annas per square yard. The Municipality have sold similar sites, probably more valuable than this, at this rate, before the receipt of the order of the President, required to sit penal of this Memo.

There are many others ... who pay = Sirs!

5. If the President is

is pleased to sanction the grant of the site, application for an advance will be made in due course

Yours sincerely,

T. M. O'Mahony

RESIDENT'S OFFICE.

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Serial No. 4

[DRAFT]—For approval.

No. 1133 / 12093 Encl 2

Dated 4th April 1893.

To

The Collector, Cuddalore Station
& Vicinity

Sir,

In reply to your letter No. 1388 dated the 3rd March 1893, I am directed to convey sanction to the disposal of your application for the grant of the plot of ground in Q. No. 11 Sheet, Jonga Palaya, for erecting a hut thereon, at two annas per square yard.

2. The plan & the applicant's petition forwarded with your letter are herewith returned. I have, &c.

Asst. to Resident

AJ
29-3-93